

HOUSE BILL 321
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5, Part 3 and Title 50, Chapter 7, Part 3, relative to unemployment compensation for employees of an educational institution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 3 is amended by adding the following as a new section:

Section ___. Notwithstanding any provision of the law to the contrary, any hourly waged, non-instructional employee shall be eligible to apply for unemployment compensation for the duration of any established and customary vacation period lasting not more than three (3) and not less than (2) months.

SECTION 2. Tennessee Code Annotated, Section 50-7-302(b)(3), is amended by adding the following as a new subdivision (E):

(E) (i) With respect to weeks of unemployment beginning after December 31, 1997, hourly waged employees not engaged in instruction, research or in a principal administrative capacity shall be eligible to make a claim for benefits for any work which commences during an established customary vacation period lasting not more than three (3) or less than two (2) months that has been predetermined as a part of a school calendar prior to the beginning of each fiscal year. Any benefits provided such employee under this Act shall terminate at the beginning of the school

97286038

97286038

000974

00097417

calendar at the end of such vacation period. An employee's plan to continue employment with the educational institution shall satisfy Sections 50-7-302(a)(3) and 50-7-302(a)(4).

(ii) Any employee terminating his or her employment with the educational institution during the vacation period shall have his or her benefits terminated and shall have to make a new claim for unemployment benefits no earlier than two (2) months after their benefits are terminated.

SECTION 3. Tennessee Code Annotated, Section 50-7-302(b)(3)(D), is amended by deleting the word, letters, number and symbols "(b)(3)(A), (B) or (C)" and substituting instead the word, letters and punctuation, "(b)(3)(A) or (B)".

SECTION 4. Tennessee Code Annotated, Section 50-7-302(b)(3)(C), is amended by inserting the language "engaged in instruction, research or in a principal administrative capacity" between the words "to any claimant" and the words "for any week".

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.